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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	10/766,574
		Filing Date	1/27/2004
		First Named Inventor	Joshua D. Rabinowitz
		Art Unit	Not yet known
		Examiner Name	To be assigned
Total Number of Pages in This Submission		Attorney Docket Number	00041.11CON

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	
Signature		
Date	SEP. 24 2004	

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Elaine C. Stracker

PATENT

Attorney's Docket No.: 00041.11CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.

Serial No.: 10/766,574

Filed: 1/27/2004

Title DELIVERY OF COMPOUNDS FOR THE TREATMENT OF
MIGRAINE THROUGH AN INHALATION ROUTE

Mail Stop Amendment
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

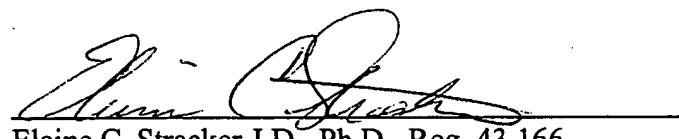
In accordance with their continuing duty of disclosure under 37 CFR §§ §1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines than an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

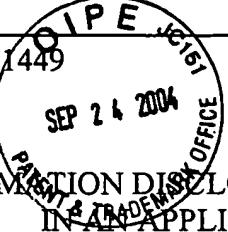
Respectfully submitted,

Date: SEP 24 2004



Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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 Form PTO-1449 SEP 24 2004 PTO/USPTO INFORMATION DISCLOSURE CITATION IN A TRADEMARK APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number: 00041.11 CON		Application Number: 10/766,574	
	Applicant: Joshua D. RABINOWITZ et al.			
	Filing Date: 1/27/2004		Group Art Unit: Not Yet Known	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley et al.			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	01/23/1990	4,895,719	Radhakrishnun et al.			
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	5.	02/14/1995	5,388,574	Ingebrethsen			
	6.	08/13/1996	5,544,646	Lloyd et al.			
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	8.	04/07/1998	5,735,263	Rubsamen et al.			
	9.	04/14/1998	5,738,865	Baichwal et al.			
	10.	06/02/1998	5,758,637	Ivri et al.			
	11.	06/16/1998	5,767,117	Moskowitz			
	12.	06/29/1999	5,915,378	Lloyd et al.			
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	16.	11/30/1999	5,993,805	Sutton et al.			
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	23.	10/23/2001	6,306,431	Zhang et al.			
	24.	04/23/2002	6,376,550	Raber et al.			

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Applicant: Joshua D. RABINOWITZ et al.

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IN AN APPLICATION

(Use several sheets if necessary)

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

	25.	10/08/2002	6,461,591	Keller et al.			
	26.	01/14/2003	6,506,762	Horvath et al.			
	27.	02/04/2003	6,514,482	Bartus et al.			
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	29.	09/06/2001	US 2001/0020147	Staniforth et al.			
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	32.	07/04/2002	US 2002/0086852	Cantor			
	33.	08/22/2002	US 2002/0112723	Schuster et al.			
	34.	11/28/2002	US 2002/0176841	Barker et al.			
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	37.	08/04/2003	10/633,876	Hale et al.			
	38.	08/04/2003	10/633,877	Hale et al.			
	39.	12/30/2003	10/749,537	Rabinowitz et al.			
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	49.	01/29/2004	10/768,281	Rabinowitz et al.			
	50.	01/29/2004	10/768,293	Rabinowitz et al.			

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51.	01/30/2004	10/769,046	Rabinowitz et al.			
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		Filing Date: 1/27/2004	Group Art Unit: Not Yet Known

80.	01/16/2003	US 2003/0012737	Rabinowitz et al.			
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	109.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
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	115.	03/14/1990	EP 0 358 114	Europe			
	116.	07/03/2001	EP 1 080 720	Europe			
	117.	08/29/2001	EP 0 606 486	Europe			
	118.	04/11/1996	WO 96/09846	WIPO			
	119.	05/09/1996	WO 96/13161	WIPO			
	120.	05/09/1996	WO 96/13290	WIPO			
	121.	05/09/1996	WO 96/13291	WIPO			
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	123.	10/03/1996	WO 96/30068	WIPO			
	124.	08/07/1997	WO 97/27804	WIPO			
	125.	05/28/1998	WO 98/22170	WIPO			
	126.	07/23/1998	WO 98/31346	WIPO			
	127.	08/27/1998	WO 98/36651	WIPO			
	128.	04/08/1999	WO 99/16419	WIPO			
	129.	12/16/1999	WO 99/64094	WIPO			
	130.	01/06/2000	WO 00/00176	WIPO			
	131.	01/06/2000	WO 00/00215	WIPO			

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136.	11/09/2000	WO 00/66084	WIPO			
137.	11/09/2000	WO 00/66206	WIPO			
138.	12/21/2000	WO 00/76673	WIPO			
139.	01/25/2001	WO 01/05459	WIPO			
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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	141.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	142.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology (Berl.)</i> . 102:443-450.
	143.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	144.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society</i> . 966-974.
	145.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology</i> . 32(5):591-600.
	146.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology</i> . 93(3): 619-628.
	147.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.

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148.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
149.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.
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151.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.
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158.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
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160.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.
161.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.
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163.	Vapotronics, Inc. (1998) located at http://www.vapotronics.com.au/banner.htm , 11 pages, (visited on June 5, 2000).

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	164.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609.
	165.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry & Behavior</i> . 55(2):237-248.

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PTO/SB/ 08 (2-92)	Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE